

## BLOGS

Archive;Hiring & Firing;Labor & Unions;Privacy & Information Security;Week in Review;Workplace Policies

# Technology, Law, and the Workplace: Week in Review

This Week in Review highlights the divide between on-duty and off-duty conduct of employees. Several articles from the last week involve stories about employee use of work computers to [check Facebook and personal email](#), [look at pornography](#), and [access confidential medical information](#). This weeks round-up also features articles addressing the uncertainty faced by employers who attempt to regulate the off-duty conduct of employees. Although a [recent NLRB Advice Memorandum](#) upheld discipline of an employee for controversial statements on Twitter, another article asks [whether employers should even address off-duty conduct in social media policies](#).

Because the law is so unsettled in this area, there are more questions than answers for employers. However, employers who wish to regulate off-duty conduct should start by carefully defining the conduct involved and avoiding overbroad policies that could be read to restrict employees legal rights.

## Technology in the Workplace

- NLRBs Office of General Counsel Issues New Advice Memorandum on Social Media ([Employer Law Report](#))
- Employee did not violate Computer Fraud and Abuse Act by checking Facebook and personal email at work ([Internet Cases](#))
- DOL Timekeeper App ([The Modern Workplace](#), as well as [Ohio Employers Law Blog](#), [Delaware Employment Law Blog](#), [Labor Related](#), and many others!)
- Firing of Teachers Union Activist for Viewing Porn in Violation of School Districts Computer Usage Policy Upheld in Face of First Amendment and Other Challenges ([Employment Matters](#))
- 9th Circuit Applies CFAA to Disloyal Employee ([Delaware Employment Law Blog](#))
- Allina fires 32 employees over patient privacy ([Star Tribune](#), [MSP Business Journal](#))
- Should Your Social-Media Policy Address Off-Duty Conduct? ([Delaware Employment Law Blog](#))

## Technology and the Law More Generally

- Congress Hears From Apple and Google on Privacy ([Media Decoder](#))
- Federal Judge Accuses DC of a Discovery Violation of Exotic Magnitude ([ABA Journal](#))
- Senator Rockefeller Introduces the Do-Not-Track Online Act of 2011 ([Privacy & Information Security Law Blog](#))



- Maryland's Social Media Evidence Authentication Decision Provides Much Needed Guidance ([Shear on Social Media Law](#))

## Technology in the News

- Foldable Device Screens, Coming Soon to Your Pocket ([Fast Company](#))
- Google Lobbies Nevada for Laws to Allow Self-Driving Cars ([ABA Journal](#))
- Stars Gain Control of Online Images ([NY Times](#))
- Microsoft to Buy Skype for \$8.5 Billion ([Deal Book](#))
- There's No Data Sheriff on the Wild Web ([NY Times](#))
- The Wall Street Journal Launches WikiLeaks Competitor ([Fast Company](#))